



03-05-07

1P&S

PTO/SB/21 (09-06)

Approved for use through 03/31/2007. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

277

Application Number

10/817,128

Filing Date

02 April 2004

First Named Inventor

Cioffi

Art Unit

2123

Examiner Name

Sharon, A.

Attorney Docket Number

0101-p03

ENCLOSURES (Check all that apply)

Fee Transmittal Form



Fee Attached



Amendment/Reply



After Final



Affidavits/declaration(s)



Extension of Time Request



Express Abandonment Request



Information Disclosure Statement



Certified Copy of Priority Document(s)

Reply to Missing Parts/
Incomplete ApplicationReply to Missing Parts
under 37 CFR 1.52 or 1.53

Drawing(s)



Licensing-related Papers



Petition

Petition to Convert to a
Provisional Application

Power of Attorney, Revocation



Terminal Disclaimer



Request for Refund



CD, Number of CD(s) _____



Landscape Table on CD



After Allowance Communication to TC

Appeal Communication to Board
of Appeals and InterferencesAppeal Communication to TC
(Appeal Notice, Brief, Reply Brief)

Proprietary Information



Status Letter

Other Enclosure(s) (please identify
below):**Remarks**

9 references (268 pgs); certificate of express mailing dated 03 March 2007 Label No. ED857744484US; copy of Fee Transmittal Form PTO/SB/17 for deposit account processing (if needed); return receipt postcard (included in "Total Number of Pages in This Submission" page count above).

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

Sylke Law Offices, LLC

Signature

Printed name

C. Thomas Sylke

Date

03 March 2007

Reg. No.

32,312

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature

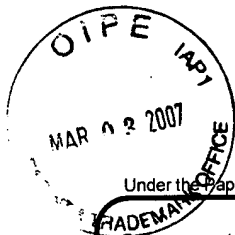
Typed or printed name

Date

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

6



PTO/SB/17 (07-06)

Approved for use through 01/31/2007. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995 no persons are required to respond to a collection of information unless it displays a valid OMB control number

Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL

For FY 2006

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) \$180.00

Complete if Known

Application Number	10/817,128
Filing Date	02 April 2004
First Named Inventor	Cioffi
Examiner Name	Sharon, A.
Art Unit	2123
Attorney Docket No.	0101-p03

METHOD OF PAYMENT (check all that apply)☐ Check ☒ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____☒ Deposit Account Deposit Account Number: 50-3349 Deposit Account Name: Sylke Law Offices, LLC

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims	Fee (\$)	Fee Paid (\$)
- 20 or HP =	x		0			

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
- 3 or HP =	x		0

HP = highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	/ 50 =	(round up to a whole number) x		0

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Fees Paid (\$)

0

Other (e.g., late filing surcharge): IDS Submission, per 37 CFR 1.17(p)

180.00

SUBMITTED BY

Signature		Registration No. (Attorney/Agent) 32,312	Telephone 414-431-2317
Name (Print/Type)	C. Thomas Sylke		Date 03 March 2007

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re application of: CIOFFI et al.

Attorney Docket No.: 0101-p03

Application No.: 10/817,128

Examiner: Sharon, A.

Filed: 02 April 2004

Group: 2123

Title: **DSL SYSTEM ESTIMATION AND PARAMETER RECOMMENDATION**

**INFORMATION DISCLOSURE STATEMENT
37 CFR §§ 1.56 AND 1.97**

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

via Certificate of Express Mailing dated March 03, 2007
Express Mail Label No. ED857744484US

Dear Sir:

Any U.S. patent document references listed under the heading "U.S. Patent Documents" in the attached Information Disclosure Statement may be material to examination of the above-identified patent application. Any non-U.S. patent document references listed under the headings "Foreign Patent or Published Foreign Patent Application" and "Other Documents" in the attached Information Disclosure Statement, copies of which are attached, may be material to examination of the above-identified patent application. Applicant submits any identified references in compliance with its duty of disclosure pursuant to 37 CFR §§1.56 and 1.97. The Examiner is requested to consider these references and make them of official record in this application.

Though one or more of the cited references might be material to the patentability of the pending claims in the present application, Applicant respectfully submits that the pending claims are nevertheless allowable over the art of record and the references cited herein.

This Information Disclosure Statement is not to be construed as a representation that a search has been made, that additional information material to the examination of this application does not exist, or that these references indeed constitute prior art.

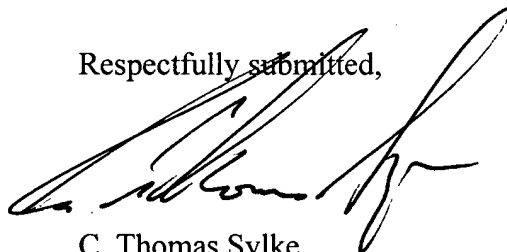
03/06/2007 CNGUYEN2 00000094 10817128 180.00 0P
01 FC:1806

This Information Disclosure Statement is being filed within the time period specified by 37 CFR § 1.97(c) and is accompanied by the fee set forth in 37 CFR § 1.17(p), pursuant to 37 CFR § 1.97(c)(2).

If it is determined that any additional fees are due, please contact the undersigned immediately at 414-431-2317.

Dated: March 2, 2007

Respectfully submitted,



C. Thomas Sylke
Registration No. 32,312

Sylke Law Offices, LLC
756 N. Milwaukee St.
Suite 210
Milwaukee, Wisconsin 53202
Phone: 414-431-2317

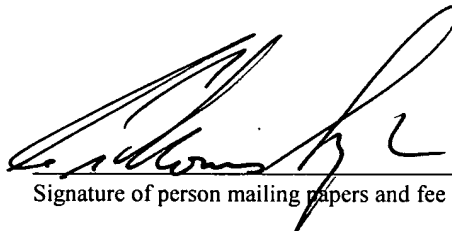
Certificate of Express Mail

"Express Mail" mailing label number: ED857744484US
Date of Deposit: March 3, 2007

I hereby certify that the papers and fee identified above are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" on the date indicated above and is addressed to MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

C. Thomas Sylke

Printed name of person mailing paper and fee



Signature of person mailing papers and fee



Supplemental Information Disclosure Statement By Applicant Pursuant to 37 CFR § 1.97(c)(2) Dated: March 3, 2007	Application No.: 10/817,128	
	Filing Date: 02 April 2004	
	First Named Inventor: CIOFFI	
	Applicant: Adaptive Spectrum and Signal Alignment, Inc.	
	Art Unit: 2123	Examiner Name: Sharon, A.
Attorney Docket No. 0101-p03		

U.S. Patent Documents

Examiner Initial	No.	Patent No.	Date	Patentee	Class	Sub-class	Filing Date
	A17	2001/0043647 A1	11/22/01	Belge			
	A18	2005/0123030 A1	06/09/05	Belge			
	A19	2002/0114383 A1	08/22/2002	Belge et al.			
	A20	6,970,415 B1	11/29/05	Galarza et al.			
	A21	6,870,901 B1	03/22/2005	Gudmundsson et al.			
	A22	6,970,560 B1	11/29/2005	Hench et al.			
	A23	2004/0095921 A1	05/20/2004	Kerpez			
	A24	2004/0120470 A1	06/24/2004	Cambron et al.			
	A25	6,658,052 B2	12/02/2003	Krinsky et al.			
	A26	2005/0213714 A1	09/29/2005	Langberg et al.			
	A27	7,068,755 B2	06/27/2006	Qiu			
	A28	6,990,196 B2	01/24/2006	Zeng et al.			
**	A29	2005/0135566 A1	06/23/2005	Schmidt et al.			
**	A30	6,895,081 B1	05/17/2005	Schmidt et al.			
	A31	6,456,694 B1	09/24/2002	Posthuma			
	A32	2006/0159162 A1	07/20/2006	Shrikhande et al.			
	A33	2006/0164101 A1	07/27/2006	Fossion et al.			
	A34	2002/0172329 A1	11/21/2002	Rashid-Farrokhi et al.			
	A35	2004/0086085 A1	05/06/2004	Nordling et al.			

Foreign Patent or Published Foreign Patent Application

Examiner Initial	No.	Document No.	Publication Date	Country or Patent Office	Patentee	Translation	
						Yes	No
	B10	WO 01/35607 A1	05/17/2001	WIPO	Voyan Techn.	✓	
	B11	EP 1 073 247 A2	01/31/2001	EPO	Lucent Tech. Inc.	✓	
	B12	WO 01/35611	05/17/2001	WIPO	Voyan Techn.	✓	
	B13	WO 02/13405	02/14/2002	WIPO	Aware, Inc.	✓	
	B14	WO 01/35614	05/17/2001	WIPO	Voyan Techn.	✓	
	B15	EP 1 009 135 A2	06/14/2000	EPO	Lucent Tech. Inc.	✓	

Other Documents

Examiner Initial	No.	Author, Title, Date, Place (e.g. Journal) of Publication
	C3	J. Cioffi et al., "Channel Identification with Dynamic Spectrum Management," ANSI Contribution T1E1.4/2001-147, May 7, 2001 (8 pgs).
****	C4	International Search Report, International Application No. PCT/IB2006/000496 (5 pgs).
****	C5	Written Opinion of the International Searching Authority, International Application No. PCT/ IB2006/000496 (5 pgs).

Examiner: Please initial citation considered; draw line through citation if not in conformance and not considered; and include copy of this form with next communication to applicant.

**** Documents A29 and A30 correspond to an application that also was published on October 26, 2000, by WIPO as Publication No. WO 2000/64132.**

****** This international application material is from a PCT application corresponding to United States Serial No. 11/069,159, which is a continuation-in-part of the present application.**